

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1117 be amended to read as follows:

- 1 Page 5, delete lines 10 through 22, begin a new paragraph and insert:
- 2 "SECTION 8. IC 36-9-31-23 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 23. **(a) Subject to**
- 4 **subsections (b) and (c), any facility:**
- 5 **(1) owned;**
- 6 **(2) operated; or**
- 7 **(3) financed after December 2, 2008;**
- 8 under this chapter shall accept waste accumulated within the waste
- 9 disposal district without discrimination as to whether or not the waste
- 10 is collected by the **consolidated** city. The fees made by any such
- 11 facility for any services rendered or to be rendered, either directly or in
- 12 connection with them, must be nondiscriminatory, but they may vary
- 13 based upon the volume, weight, hazardousness, or difficulty of disposal
- 14 of the waste disposed of or processed by the facility.
- 15 **(b) For purposes of this section:**
- 16 **(1) if a person enters into a contract with the consolidated city**
- 17 **to accept the consolidated city's waste at a facility, the person**
- 18 **is not considered to be operating the facility; and**
- 19 **(2) after December 2, 2008, a facility is not considered to be**
- 20 **financed if:**
- 21 **(A) the owner of the facility contracts with the consolidated**
- 22 **city to accept the consolidated city's waste at the facility;**
- 23 **and**
- 24 **(B) the contract permits the owner to pass through to the**
- 25 **consolidated city costs incurred under the contract."**

(Reference is to HB 1117 as printed January 25, 2006.)

Representative Mahern